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March 9, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Magalie Salas, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WT Docket Nos. 98-20 and 96-188

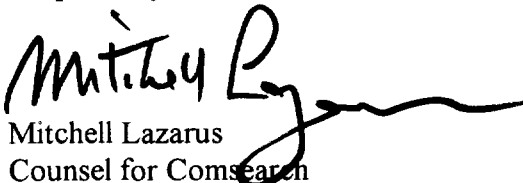
Dear Ms. Salas:

Enclosed for filing with the Commission are the original and eleven copies of the "Reply of Comsearch to Comments on Petition for Partial Reconsideration" in the above-referenced dockets.

Kindly date-stamp and return the extra copy of this cover letter.

If there are any questions about this filing, please call me at the number above.

Respectfully submitted,


Mitchell Lazarus
Counsel for Comsearch

Enclosures

cc: Service List

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Before the
Federal Communications Commission
Washington DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Biennial Regulatory Review — Amendment)	
of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90,)	
95, 97, and 101 of the Commission's Rules to)	WT Docket No. 98-20
Facilitate the Development and Use of the)	
Universal Licensing System in the Wireless)	
Telecommunications Services)	
)	
Amendment of the Amateur Service Rules to)	WT Docket No. 96-188
Authorize Visiting Foreign Amateur Operators)	RM-8677
to Operate Stations in the United States)	

**REPLY OF COMSEARCH
TO COMMENTS ON
PETITION FOR PARTIAL RECONSIDERATION**

Pursuant to Section 1.429(g) of the Commission's Rules, Comsearch hereby replies to comments filed in response to its Petition for Partial Reconsideration in the above-captioned dockets.¹

¹ Comsearch filed its Petition on January 13, 1999, seeking partial reconsideration of Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, 13 FCC Rcd 21027. Comsearch also participated in the earlier phases of this proceeding. Comments of Comsearch (filed May 22, 1998); Reply Comments of Comsearch (filed June 5, 1988), *responding to Development and Use of the Universal Licensing System in the Wireless Telecommunications Services*, 13 FCC Rcd 9672 (1998) ("Notice").

Comsearch is an independent engineering firm that specializes in spectrum management of terrestrial microwave, satellite, and mobile telecommunications systems. Comsearch provides consultant services to all classes of users, including those regulated under Part 101 of the Commission's Rules. Comsearch's expertise in the issues discussed here derives from its experience in database development and management, frequency engineering and coordination, and FCC application preparation.

Comsearch's Petition asked that applications for "minor" changes to a Fixed Service license not automatically be excluded from frequency coordination. Some changes that are "minor" for filing purposes can nonetheless yield a serious increase in potential for interference. Examples include location changes of 5 seconds or less in latitude and longitude, antenna changes that do not increase the beamwidth, azimuth changes of 1 degree or less, and reductions in bandwidth. Comsearch agrees there is no need to put minor changes on public notice, and licensees should be able to implement them without prior Commission approval. But any change that increases the interference potential for other users should be conditioned on prior notice to those users, as the Rules formerly required. Notice merely to coordinators does not suffice. In the Fixed Service it is the end users, not the coordinators, who are responsible for identifying potential interference cases.²

All of the parties commenting on the merits of Comsearch's Petition express unqualified support.³ No party opposes. The National Spectrum Managers Association (NSMA) filed its own Petition for Reconsideration that closely parallels Comsearch's.⁴

² In addition, to resolve a circularity in the Rules, Comsearch asked the Commission to delete Section 1.929(a)(5).

³ Comments of the Association of American Railroads at 3-4 (filed Feb. 24, 1999); Comments of US West Communications, Inc. (filed Feb. 24, 1999); Comments of UTC, The Telecommunications Association at 5-6 (filed Feb. 11, 1999).

⁴ Petition for Reconsideration of National Spectrum Managers Ass'n (filed Jan. 13, 1999).

One comment asks the Commission to exclude geographically specified area-wide licenses from any grant of the Comsearch and NSMA Petitions.⁵ In reply, Comsearch clarifies that it did not intend area-wide licenses to come within the scope of its Petition, except to the extent that changes to such licenses can increase the interference potential to other licensees. For example, a change that alters the direction or increases the power of a beam transmitted across a license area boundary should be coordinated with other licensees that may be affected.

CONCLUSION

Inasmuch as no party opposes Comsearch's Petition, intended to prevent otherwise minor changes from causing increased interference, the Commission should proceed to amend Section 101.103 to require prior notice to all affected users of any technical changes.

Respectfully submitted,



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March 9, 1999

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⁵ Comments of WinStar Communications, Inc. (filed Feb. 24, 1999).

CERTIFICATE OF SERVICE

I, Delphine I. Davis, a secretary for the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that a true copy of the foregoing "Reply of Comsearch to Comments on Petition for Partial Reconsideration" was sent this 9th day of March, 1999, via first class, United States mail, postage prepaid to each of the following:

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